

The rejection of claims 1-12 and 17-20 under 35 U.S.C. 112, second paragraph, is respectfully traversed. The claim language "selected from A, B, and C" is proper. Support for this claim language can be found in several places, for example, Appendix AI (PCT) of the M.P.E.P. (specifically, Example 20, p. AI-62 of the August 2001 edition) and Training Materials For Examining Patent Applications with Respect to 35 U.S.C. Section 112, First Paragraph-Enablement Chemical/Biotechnical Applications, released August, 1996 (Specifically Examples H and J). These examples make it clear that the phrase "X selected from A, B, and C" is proper claim language, and therefore, claims 1-12 and 17-20 should not be rejected under 35 U.S.C. 112, second paragraph.

Claims 1-8, 13, 14, and 19 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 and 9-14 of U.S. Patent No. 6,095,185.

The rejection of claims 1-18, 13, 14, and 19 under the judicially created doctrine of obviousness-type double-patenting is overcome because Applicant submits herewith a terminal disclaimer in compliance with 37 CFR 1.321(c). Applicant respectfully requests that the rejection of these claims under the doctrine of obviousness-type double patenting be withdrawn.

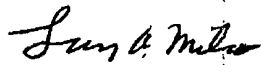
Claims 1-9, 13, 14, and 19, and 20 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7, 11, 12, 17, 18, and 22 of copending Application No. 09/569,283.

The provisional rejection of claims 1-9, 13, 14, and 19, and 20 under the judicially created doctrine of obviousness-type double-patenting is respectfully traversed because the claims of the present application are directed to a composition, whereas the claims of Application No. 09/569,283 are directed to a method.

The present response is being submitted within the shortened statutory period of three months for response to the outstanding Office action. The Commissioner is further authorized to charge any fees necessary to maintain the pendency of the application to Deposit Account No. 04-1520.

Respectfully Submitted,

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